

AFFIDAVIT FOR SEARCH WARRANT

I, Dylan J. Thurmer, a Special Agent (“SA”) with the Federal Bureau of Investigation (“FBI”), being duly sworn, depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I have been employed as a Special Agent since January 20, 2020, and I am currently permanently assigned to the Minneapolis Division, Minot Resident Agency. My duties include, among other things, the investigation of violent crimes occurring within Indian Country. I investigate violations of federal law and have received training and gained experience in interviewing and interrogation techniques, arrest procedures, search warrant applications, the execution of searches and seizures, computer crimes, and various other criminal laws and procedures.

2. Prior to my position with the FBI, I was a police officer for 7 years at the City of Fond du Lac Police Department located in Fond du Lac, Wisconsin. I investigated local and state crimes and made arrests based on the local municipal code and the Wisconsin State Statutes. I served in specialty roles including: Special Weapons and Tactics (SWAT) operator where I assisted with the execution of high risk arrests, and evidence technician where I collected and processed items related to criminal investigations.

3. As a Federal Agent, I am authorized to investigate violations of laws of the United States, and to execute warrant issued under the authority of the United States.

4. I am submitting this affidavit in support of an application for a search warrant to search the area in and around the following GPS coordinates (in decimal degrees): North West 48.877795,-99.885621; South West 48.875417, -99.885556; South East 48.875170,-99.877381,

North East 48.877795, -99.877402, located within Rolette County, North Dakota. The boundaries formed by the GPS coordinates are marked on a map on Attachment A. I have reason to believe that the area contains evidence related to the crime of Murder or Conspiracy to Commit Murder.

5. The statements contained in this affidavit are based in part on: information provided by other agencies; written reports about this and other investigations that I have received, directly or indirectly, from other law enforcement agents; independent investigation; and my experience, training and background as a Special Agent with the FBI. As this Affidavit is being submitted only for the limited purpose of establishing probable cause for issuance of a search warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only those facts which I believe are necessary to establish probable cause to believe that evidence of a crime is located within the named location. In addition, unless otherwise indicated all statements contained in this Affidavit are summarized in substance and in part.

6. I am requesting a search warrant be issued allowing law enforcement agents to enter the above described area to gather evidence related to the crimes listed above, images and measurements of the area, through photography, video recording, including aerial video and photography, and other reasonable means of recording to be taken by the searching officers.

7. Further, I am requesting authorization to search for and seize evidence related to the possible death of Craig Melton, to include: items that may retain evidence, including trace evidence of bodily fluids, such as blood, blood stains, blood spatter, saliva, perspiration, suspected blood, etc, human hair, latent fingerprint impressions, items that may retain evidence of clothing, hairs, and/or other material fibers, items and/or property belonging to Craig Melton,

Gary Lafountain, Aaron Jerald Henry, Jonas St. Claire, and/or anyone suspected to be involved in the murder of Craig Melton or the disposal of his remains, firearms, ammunition, spent shell casings, expended rounds, blunt objects, cleaning products, agents, solvents or tools, and any items related to drug use.

8. I am also requesting the authorization to search below the property to include digging, removing earth, and any other reasonable means to be taken by the searching officers.

BACKGROUND OF THE INVESTIGATION

9. On September 18, 2020, Kevin Schultz made a report to the Fargo Police Department in North Dakota (ND) that his roommate, Craig Melton, was missing. The report indicated that Craig had met two homeless Native American males and gave them a ride to Belford, ND, later discovered to be Belcourt, ND.

10. On September 18, 2020 and September 23, 2020 Fargo Police interviewed employees at Craig's place of employment, Kroll's Diner, located in Fargo, ND. Employees stated they had witnessed Craig, on September 17, 2020 at approximately 4:45 PM, working on his vehicle, a maroon Saturn with Oregon plates, with two Native American males in the Kroll's Diner parking lot. An employee described one of the Native American males as a male about 35 years of age, 5'11'', 180 pounds, with facial hair. The employee stated Craig left work on September 17, 2020 with the intention of giving two males a ride to Belcourt, ND.

11. September 17, 2020, Johnny Miller, a friend of Craig's, saw Craig at approximately 8:30 PM to 9:00 PM near 5200 44th Avenue S, Fargo, ND. Craig was transporting two males in his car. Craig told Johnny he was going on a drug run to Belcourt, ND. Johnny gave Craig a short handled composite ax and a pocket knife for protection. Johnny described Craig's car as a red 1999 Saturn SL with Oregon License Plates-653-KYU. Johnny stated the car

was not in good condition and missing hubcaps. Johnny said Craig would occasionally use methamphetamine (“meth”).

12. On September 18, 2020 a Deputy from Towner County Sheriff’s Office saw Craig’s car traveling northbound about 12 miles north of Cando, ND on US Highway 281. The deputy saw Oregon plates on the vehicle and mentioned that it was not in good shape. The deputy saw two passengers. The deputy believed this occurred between 8:30 AM and 2:00PM.

13. On September 24, 2020 Towner County Sheriff’s Office obtained surveillance footage from a Cenex gas station in Cando, ND. The video showed a vehicle that appeared to be Craig’s traveling north through Cando on US 281 at 9:01 AM on September 18, 2020.

14. On September 29, 2020 a Fargo Police detective and members of the Belcourt Police Department located Craig’s vehicle at 3851 Bureau of Indian Affairs Road 10 in Belcourt, ND. The property owner told police that her son, Travis St. Claire, brought the car home three to four days earlier. Travis St. Claire had told his mother that he bought the car from Darrell St. Claire who claimed he bought it from a “white guy.” The vehicle was missing many components including the back seat. The license plates were also missing.

15. On September 29, 2020 Craig’s car was seized by the Belcourt Police Department. The Belcourt Police Department and Bureau of Indian Affairs agents executed a search warrant on the vehicle. DNA swabs were taken from the car.

16. On October 27, 2020 agents with the FBI interviewed Aaron Jerald Henry in Dunseith, ND. Aaron stated JONAS ST. CLAIRE and a white male came to his camper on a Friday or Saturday around 12:00 PM to 1:00 PM. Aaron had seen a missing person’s report on Facebook for a man missing from Fargo, ND. Aaron saw the post the day after JONAS came to his house with the other man. Aaron said the man with JONAS was the same person as the

person in the missing person's report. JONAS and the man arrived in a maroon Saturn car. Aaron said the car looked "junky." Aaron sold meth and JONAS and the man came to buy meth. Aaron sold JONAS twenty dollars' worth of meth. JONAS paid with a one hundred dollar bill. Aaron gave JONAS eighty dollars in change. Aaron, JONAS, and the other man smoked the meth. JONAS lost the eighty dollars and blamed the other man of taking it. Aaron said JONAS was being an "asshole" to the other man. JONAS and the other man argued with each other and it looked as if they were going to fight. The other man had an axe with him, and the man kept it in his coat. The man told Aaron he had the axe because of the way JONAS was acting. JONAS and the other man left the property angry at each other and it looked like they were about to fight. Aaron later found the eighty dollars in his camper and kept it. Aaron said his friends C.A., Z.P., and E.D. were present when JONAS and the other man were on his property. JONAS came back the next day alone in the red Saturn. JONAS asked C.A. and Z.P. if they had bleach or hand sanitizer to clean his car. C.A. told Aaron that JONAS had dried blood on his hands. Per C.A., JONAS asked C.A. and Z.P. if they would help him bury a body.

17. On October 20, 2020 C.A. was interviewed in Dunseith, ND. C.A. stated he was at Aaron Henry's house when JONAS came there. C.A. said JONAS had come within the last month. C.A. described JONAS as a "weird fucker." C.A. went to Aaron's camper to get high. C.A. smoked meth with JONAS when JONAS showed up. JONAS had asked C.A. if he wanted to help him get rid of a body. C.A. saw dried blood on JONAS's hands.

18. On November 3, 2020 agents with the FBI interviewed ZP in Belcourt, ND. The following is information provided by Z.P. in his interview: Z.P. stated that he used meth daily. Z.P. stated he went to Aaron Henry's camper to use meth and get high. Z.P. was at Aaron's camper with C.A. when Jonas St. Claire drove up to Aaron's camper. Jonas was on the property

and drove from the south on the property. Z.P. believed Jonas had been on a path to the south of the camper prior to Z.P. arriving. Jonas was driving a blue Oldsmobile. Jonas had dirt and what Z.P. thought could have been blood on his hands and arms. Jonas was looking for Aaron and was asking where drugs were located. Jonas tried to sell Z.P. and C.A. the blue Oldsmobile for a half gram of meth. Jonas asked Z.P. and C.A. if they would help Jonas get rid of a body. Z.P. saw a spade shovel handle sticking out of a back window of the blue Oldsmobile. Aaron told Z.P. that Jonas and Craig had been at Aaron's camper. Jonas had eighty dollars that went missing. Jonas, Aaron, and Craig had gotten into a big argument over the missing money. The argument was based on Craig taking the eighty dollars. Aaron had actually taken the eighty dollars. Aaron kicked Jonas and Craig off his property. Aaron told Jonas and Craig to get out of his yard or he was going to kill them. Aaron stole the money for drugs. L.D. told Z.P. she was at Aaron's camper when Jonas came by. Jonas was outside the camper and said "I took care of it for you cuz." Z.P. believed that L.D.'s statements could have been in reference to Jonas killing Craig. Z.P. stated he was on Gary Lafountain's property a day prior to seeing Jonas on Aaron's property. Z.P. was with C.H. When Z.P. parked his vehicle, Gary and two or three other men came out of the woods to the south. Gary yelled at Z.P. that he could not park there and wasn't allowed to be there anymore. Z.P. saw two of the men carrying shovels. Jonas hangs out with Gary. Jonas was one of the men on Gary's property. Gary was wearing overalls and it appeared to have a substance on it such as blood or oil. Z.P. never had seen people in that area of the woods before. Z.P. had never seen Gary wearing clothes like the overalls. Gary was acting very differently than his normal self. This occurred around 10:30 PM or 11:00 PM and it was dark. ZP was always allowed to park on Gary's property before. J.D. ran out of Gary's house after the

men had come out of the woods. J.D. and told ZP "to get the fuck out of there." J.D. appeared scared and nervous.

19. On November 3, 2020 agents with the FBI interviewed C.H. in Cando, ND. The following is information provide by C.H. during C.H.'s interview: C.H. stated she was with Z.P. when they were on Gary Lafountain's property on September 19, 2020. C.H. had been on Gary's property more than twenty times. Gary was always nice to C.H. Z.P. and C.H. were always able to park behind Gary's house. Z.P. and C.H. were parked in Z.P.'s vehicle in the back of the house. C.H. saw a flashlight coming from the woods behind the house. Two men came walking out of the woods. The men were wearing overalls. One of the men had a headlamp on. The men walked into Gary's house. The men then came back outside carrying a shovel. C.H. had never seen people in the area the men went. C.H. thought it was unusual. The men stopped in the woods and stayed in the same area while C.H. watched them. C.H. could only see the flashlight after they went into the woods. Z.P. and C.H. left to go pick up friends. When Z.P. and C.H. returned later they attempted to drive to the back of the house and Gary stopped them. Gary said he didn't want anyone in the back anymore. Gary was very frantic. C.H. was in the front seat. Gary was wearing a large overall suit. Gary kept wiping his hands inside his overalls. Gary went inside and J.D. came running out of the house and said "let's get the fuck out of here." C.H. saw a blue Oldsmobile on the property while they were at Gary's. On September 20, 2020, C.H. was asleep in Z.P.'s vehicle when Z.P. had contact with Jonas on Aaron Henry's property. Z.P. woke C.H. up and told C.H. that they needed to leave. Z.P. stated they needed to leave because Jonas had asked Z.P. if he wanted to make a raise. Z.P. had asked how and Jonas asked Z.P. if he wanted to bury a body. Z.P. had seen a spade shovel in a vehicle and had seen blood on the


vehicle. Z.P. had seen blood in the back seat and on the door. Z.P. had seen blood on Jonas's hands. Z.P. had given Jonas hand sanitizer and rubbing alcohol.

20. On November 3, 2020 agents with the FBI interviewed C.B. in Rolla, ND. C.B. stated that she was with Darrell St. Claire, who she identified as Jonas's brother, from September 23, 2020 until the end of September 2020. During that time, Darrell and Jonas were in possession of a blue Oldsmobile Cutlass. C.B. observed that the Oldsmobile did not have a back seat.

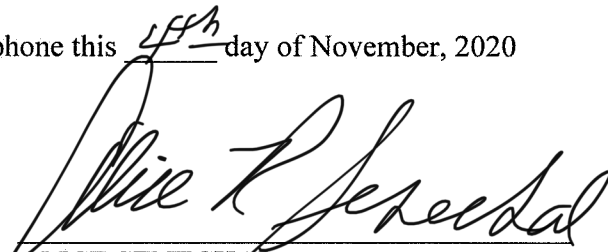
CONCLUSION

21. Based on the aforementioned factual information, I respectfully submit that there is probable cause to believe that the crimes of Murder and Conspiracy to Commit Murder were committed and evidence of those crimes may be located within the GPS coordinates (in decimal degrees): North West 48.877795,-99.885621; South West 48.875417, -99.885556; South East 48.875170,-99.877381, North East 48.877795, -99.877402, located within Rolette County, North Dakota, in violation of Title 18, United States Code Sections 1111 and 1117.

22. I assert that public disclosure of the existence of this search warrant affidavit and all accompanying materials at this juncture could jeopardize the government's ongoing investigation in this case, and therefore, request this Affidavit and all accompanying materials be sealed until further order this court.


Dylan J. Thurmer
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me by telephone this 4th day of November, 2020


ALICE SENECHAL
United States Magistrate Judge

ATTACHMENT A